

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Jeremy BARKER, *et al.*

Serial No.: 09/484,799

Filed: January 18, 2000

For: Lithium-Based Active
Materials and Preparation
Thereof

Group Art Unit: 1745

Examiner: Chaney, Carol Diane

Atty. Ref.: VT-1869

**REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111 AND
REQUEST FOR DECLARATION OF AN INTERFERENCE**

The Honorable Commissioner of Patents
Washington, D.C. 20231

Sir:

This Request for Reconsideration is responsive to the Office Action mailed October 25, 2002. The Office is authorized to charge any fee due in connection with this response to Deposit Account No. 19-0733.

REMARKS

This Request for Reconsideration is in response to the Office Action mailed October 25, 2002, which suspended *ex parte* prosecution of the above-identified application for a period of six months in order to allow an allegedly relevant reference ("third party application") to become available as citable prior art against the above-identified patent application. Based on the arguments set forth below, Applicants respectfully request reconsideration of the suspension of *ex parte* prosecution, and further request that the Office withdraw the third party application

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